| Address New Owner: | Send Tax Bills to: | Map-Parcel Numbers |
|---|---|---|
| Demonbreun Street Apartments Investors LLC<br>301 South College Street, Suite 2800<br>Charlotte, NC 28209 | Same | Map/Parcel No.<br>093-130-574.00 |
| Return to and prepared by: Bradley Arant Boult Cummings LLP (RFW)<br>1600 Division Street, Suite 700, Nashville, Tennessee 37203 | | |

## SPECIAL WARRANTY DEED

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are acknowledged, **LUI NASHVILLE ROUNDABOUT, LLC**, a Delaware limited liability company ("**Grantor**"), has bargained and sold, and hereby transfers and conveys to **DEMONBREUN STREET APARTMENTS INVESTORS LLC**, a Delaware limited liability company ("**Grantee**"), its successors, and assigns, certain land in Davidson County, Tennessee, being more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "**Property**").

TO HAVE AND TO HOLD the Property with all appurtenances, estate, title, and interest thereto belonging to Grantee, its successors and assigns, forever.

This conveyance of the Property, and all covenants and warranties contained herein, are made expressly subject to the following:

1. Davidson County real property taxes for the year 2014, and subsequent years.

2. All matters shown on the Plat of record as Instrument No. 20120830-0078582, Davidson County Register's Office.

BILL GARRETT, Davidson County
Trans: T20140012868 DEEDWARRSP
Recvd: 02/24/14 16:20 4 pgs
Fees: 23.00 Taxes: 23125.00

20140224-0015825

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value for this transfer, whichever is greater, is $6,250,000.00.

Affiant

Subscribed and sworn to before me this 17th day of February, 2014.

BARBARA KOMINS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

Notary Public
My Commission Expires: _____

My Commission Expires AUG. 17, 2015

3. Easements retained in ordinance closing alley of record in Ordinance No. BL2006-1011, Davidson County, Tennessee, as shown on the survey prepared by Littlejohn Engineering Services.

4. Easements retained in ordinance closing alley of record in Ordinance No. 082-914, affected by Ordinance No. BL2012-271, Davidson County, Tennessee.

5. Arts Center Redevelopment Plan as set out in the following Ordinance of Metropolitan Council: BL2002-1063 (also recorded in Instrument No. 20020715-0084598, Register's Office for Davidson County, Tennessee).

6. Restrictive Covenants pertaining to the Arts Center Redevelopment Plan of record in Book 11625, page 252, Register's Office for Davidson County, Tennessee.

Grantor covenants with Grantee that the Property is free from all encumbrances made by Grantor, except as may be set forth herein.

Grantor further covenants to warrant and forever defend the title to the Property to Grantee, its successors and assigns against the lawful claims of all persons claiming by, through, or under Grantor.

**This is 1.564 acres of unimproved property on Demonbreun Street, Nashville, Davidson County, Tennessee.**

[Signatures on following page]

Executed this 24th day of February, 2014.

LUI NASHVILLE ROUNDABOUT, LLC,
a Delaware limited liability company

By: _____
John W. Enerson, Vice President

STATE OF TEXAS )
COUNTY OF HARRIS)

Before me, Amanda Adams, a Notary Public of the State and County aforesaid, personally appeared John W. Enerson, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be Vice President of LUI Nashville Roundabout, LLC, a Delaware limited liability company, the within named bargainor, and that he as such Vice President, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as such Vice President.

WITNESS my hand, at office, this 14 day of February, 2014.

AMANDA D. ADAMS
Notary Public, State of Texas
My Commission Expires
December 04, 2016

_____
Notary Public
My Commission Expires: Dec 04, 2016

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106708-301011

EXHIBIT A

Real property in the City of Nashville, County of Davidson, State of Tennessee, described as follows:

TRACT I

Being Lot 1, on the plan of Lionstone Music Circle Final Plat of Lot 1, 3rd Revision Lots 2, 3. and 4, Music Circle East & Revision One of Lot 287, McNairy's Plan of West Nashville, on plat in Instrument No. 20120830-0078582, in the Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

Being a portion of the property conveyed to LUI Nashville Roundabout, LLC, of record in Instrument No. 20060315-0030115, in the Register's Office for Davidson County, Tennessee.

TRACT II

Being a tract of land lying in the 19th District of Davidson County, Nashville, Tennessee. Bounded on the north and east by Lot 1 of 3rd Revision Lots 2, 3 and 4, Music Circle East, and Revision One of Lot 287, McNairy's Plan of West Nashville, as recorded in Instrument Number 20090910-0084799, Registers Office of Davidson County (RODC), being LUI Nashville Roundabout, LLC, as recorded in Instrument Number 20091118-0106247, RODC and bounded on the south by the proposed ROW of Division Street. Tract being described as follows:

POINT OF COMMENCEMENT being a found iron rod lying on the intersection of the existing ROW of said Music Circle East and the existing ROW of said Division Street; thence along said existing ROW of Music Circle East North 62°33'47" East 8.58 feet to the true and actual POINT OF BEGINNING; thence continuing along said existing ROW North 62°33'47" East 30.13 feet to a point; thence leaving said existing ROW and with a new line South 27°26'13" East 21.61 feet to a point on the proposed ROW of Division Street; thence along proposed ROW North 81°47'18" West 37.08 feet to the point of beginning.

Tract contains 326 square feet. Bearings based on Instrument Number 20090910-0084799, RODC.

Being a part of the right-of-way abandoned by Ordinance No. BL2012-290 of the Metropolitan Council.

Being a portion of the property conveyed to LUI Nashville Roundabout, LLC of record in Instrument No. 20060315-0030115, Register's Office for Davidson County, Tennessee.